

## Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 L-03 OES-06 SSO-00 NSCE-00 INRE-00  
ACDA-07 AGRE-00 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00  
CIEP-01 COME-00 DLOS-06 DODE-00 DOTE-00 EB-07 EPA-01  
ERDA-05 FEA-00 FMC-01 TRSE-00 H-01 INR-07 INT-05  
IO-13 JUSE-00 NSAE-00 NSC-05 NSF-01 OMB-01 PM-04  
PRS-01 SP-02 SS-15 SAL-01 /113 R

DRAFTED BY EUR/CAN:JHROUSE, JR.:ED

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L/MFELDMAN (DRAFT)  
OES/RSCULLY (DRAFT)

-----171539Z 067010 /53

O 171527Z JAN 77  
FM SECSTATE WASHDC  
TO AMEMBASSY OTTAWA IMMEDIATE

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FOR AMBASSADOR

E.O. 11652: GDS

TAGS: SENV, PBOR, EFIS, CA

SUBJECT: MARITIME BOUNDARY AND FISHERY NEGOTIATIONS

REF: OTTAWA 0136

1. FOLLOWING IS IN RESPONSE TO POINTS YOU RAISED REFTEL  
FOR USE IN YOUR SCHEDULED MEETING WITH EXTAFF UNDERSECRETARY  
ROBINSON.

2. EXTENSION OF "HORT-TERM FISHERIES AGREEMENT (PARA. 4  
REFTEL). YOU MAY CONFIRM US WILLINGNESS TO ACCEPT GOC  
PHRASEOLOGY "NO EXTENSION WOULD BE ENVISAGED." YOU SHOULD  
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NOTE THAT ALTHOUGH US DOES NOT EXCLUDE POSSIBILITY OF  
AGREEING TO SHORT-TERM FISHERY ARRANGEMENTS FOR LIMITED  
PERIOD FOLLOWING 1977 IF RESORT TO THIRD PARTY SETTLEMENT  
PROCEDURE SHOULD PROVE NECESSARY, WE WOULD ENVISAGE SUCH  
AN ARRANGEMENT ONLY WHERE MUTUALLY SATISFACTORY AGREEMENT  
ON THIRD PARTY REFERENCE HAD BEEN REACHED IN ADVANCE.

3. CANADIAN ICNAF FORMULA (PARA 6(A) AND (C) REFTEL). YOU WERE CORRECT IN STATING THAT ICNAF FORMULA PUT FORWARD BY GOC IS NOT ACCEPTABLE BASIS FOR US AGREEMENT. GOC APPROACH WOULD OBFUSCATE US JURISDICTION AND MAY BE PREDICATED UPON AGREED LIMIT ON US FISHING IN AREAS UNDER US MANAGEMENT AUTHORITY.

4. FOUR ELEMENTS (PARA 8 REFTEL). YOU MAY CONFIRM USG WILLINGNESS TO ACCEPT GOC FORMULATION "FOUR ELEMENTS WOULD BE ADDRESSED" IN GULF OF MAINE AREA. FYI WE BELIEVE GOC IS STILL UNDECIDED WHETHER TO INCLUDE HYDRO-CARBON ARRANGEMENTS IN LONG-TERM AGREEMENT. WE WOULD WANT TO ENCOMPASS SUCH ARRANGEMENTS IN A LONG-TERM AGREEMENT FOR THE GULF OF MAINE BUT SEE NO NEED TO PRESS THIS POINT AT THIS EARLY STAGE. END FYI.

5. BINDING SETTLEMENT (PARA 10 REFTEL). YOU WERE CORRECT IN STATING THAT USG OBJECTIVE IN SEEKING AGREEMENT FOR BINDING ADJUDICATION IS TO INSURE THAT BOUNDARY ISSUES WILL BE RESOLVED WITHIN REASONABLE PERIOD OF TIME. LIKE GOC WE HAVE NOT DETERMINED EXACT PROCEDURE WE PREFER. HOWEVER, WE BELIEVE THAT A MUTUAL COMMITMENT NOW TO GO TO BINDING THIRD PARTY SETTLEMENT ABSENT AGREEMENT BY THE END OF 1977, LEAVES OPEN WIDE AREA OF CHOICE AS TO FORUM, PROCEDURE, ETC., WHICH SHOULD ALLOW US TO FIND A MUTUALLY SATISFACTORY WAY OF PROCEEDING IF ADJUDICATION PROVES NECESSARY, AND WE WOULD HOPE GOC COULD AGREE WITH US NOW TO GO TO BINDING SETTLEMENT. YOU SHOULD SO INFORM GOC. IF, HOWEVER, GOC IS NOT PREPARED TO GO BEYOND AGREEMENT TO "SUBMIT TO CONCLUSIVE THIRD PARTY SETTLEMENT",  
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YOU MAY SAY THAT US IS PREPARED TO LET THE ISSUE STAND WITHOUT FURTHER RESOLUTION, BUT GOC SHOULD UNDERSTAND CONSTRAINTS PREVIOUSLY CONVEYED (PARA 2 ABOVE) WHICH WILL LIMIT CONCLUSION BY US OF SHORT-TERM FISHERIES ARRANGEMENTS FOR ANY PERIOD AFTER 1977.

6. RESUMPTION OF BOUNDARY TALKS (PARA 12 REFTEL). LAST SENTENCE OF US AIDE MEMOIRE (STATE 8596) WAS INTENDED TO PRESS ONLY FOR RESUMPTION OF TALKS ON BOUNDARIES. HOWEVER, USG HAS NO OBJECTION AS YOU SUGGESTED TO GOC TO INCLUDING IN RESUMED BOUNDARY TALKS, INITIALLY AT LEAST, CONSIDERATION OF LONG-TERM HYDROCARBON AND MARINE POLLUTION ARRANGEMENTS AND LINKAGES WITH LONG-TERM FISHERIES NEGOTIATIONS, IF GOC SO DESIRES. AS YOU RECOMMEND, YOU SHOULD STRESS IMPORTANCE USG PLACES ON RECOMMENCING TALKS ON BOUNDARIES ASAP, NOTING THAT IN OUR VIEW TO RESUME DISCUSSION OF BOUNDARY ISSUES WHILE SHORT TERM FISHERIES TALKS ARE IN PROGRESS COULD ASSIST IN MOVING FISHERIES TALKS FORWARD. AS PRACTICAL MATTER IT MAY NOT

BE POSSIBLE TO MEET UNTIL LATE IN FEBRUARY; HOWEVER, WE  
WOULD LIKE CONFIRMATION THAT GOC IS READY TO BEGIN  
NEGOTIATING A COMPROMISE BOUNDARY AND WILL BE PREPARED  
TO MAKE PROPOSALS TO THAT END.

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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Disposition Approved on Date:**  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
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